

REMARKS

Claims 11-20 are presently pending in this application. Reconsideration is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112

The Examiner has rejected claims 13 and 14 because the word "it" was undefined. These claims have been amended to replace the word "it" with "said projected claim text."

In view of the amended language, it is respectfully submitted that the rejection under 35 U.S.C. §112 has been overcome.

REJECTION UNDER 35 U.S.C. § 103

Reconsideration is respectfully requested. The Office Action mailed May 2, 2007, contains one point of confusion that the applicants' would like to request clarification, or at least bring to the Examiner's attention.

On page 3 of the Office Action the Examiner states:

"Claims 11-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chakrabarti et al., (hereinafter "Chakrabarti") US Patent no. 6,389,436 and Snyder et al, (hereinafter "**Barney**") US Patent no. 6,038,561."

It is believed that the Examiner intended to combine Chakrabarti (6,389,436) and Snyder (6,038,561), The reference to Barney is believed to be extraneous, perhaps the result of cut-and-paste error when copying from the previous Office Action. With regard

to Barney, applicants provided evidence in response to the previous Office Action that Barney is not prior art in view of applicants' provisional application. There appears to be another extraneous reference to Barney on page 5, line 1 of the Office Action. However, based on the substance of the rejections made by the Examiner, applicants believe that the Examiner is applying Chakrabarti and Snyder (and not Barney). If applicants' assumption is incorrect, then applicants would respectfully submit that the Examiner should issue a fresh Office Action, correcting these errors.

The Chakrabarti reference

Regarding Chakrabarti, the Examiner agrees that Chakrabarti does not disclose the claimed "analyzing said patent information to generate a category metric corresponding to user-prescribed categories" and "associating said category metric with said patent information." The Examiner is relying on Snyder to provide these missing teachings.

The Snyder reference

In contrast with the applicants' invention, Snyder does not generate and apply a model corresponding to at least one user-prescribed category. Instead, Snyder compares two patents using a combination of term-based analysis and conceptual-representation analysis [see Snyder abstract]. Perhaps the Examiner may infer that this conceptual-representation analysis is a "user-prescribed category" analysis, but this is not the case. Snyder is using what the patent describes as "semantic thread analysis" [see col 7, ln15] that purports to extract the "meaning" from documents so that they can

be compared on this basis. However these “meanings” that are being extracted are not according to categories of the user’s choosing. To see that this is so, refer to Figure 8A of Snyder. In that figure, patents are compared and found to be “similar” based on orthogonal metrics: semantic thread score and word vector score. The figure looks like a spray-paint blast, where the “similar” patents are represented by the dots of paint in the upper right hand corner. Clearly, there is no indication that these similar patents are determined to be so based on any user-prescribed categories. Indeed, the user is clueless as to what semantic similarities caused the two patents to be deemed similar in meaning.

The remaining figures of Snyder, such as Figures 8B, 8C and 8D bear this out. Snyder is not analyzing the patents to generate models corresponding to user-defined categories. In Figure 8D, Snyder has annotated that figure with “labels” (Situation today, patents in new market, competitive advantage, etc.). These labels are merely for understanding the regions of the S-shaped graph and are not generated using models corresponding to user-defined categories.

In order to more fully distinguish the applicants’ invention from the cited references, the claims have been amended to more fully recite that applicants are using a model corresponding to at least one of the user-prescribed categories, to select from the patent information a subset that fits the model, and then storing that subset in association with a label corresponding to the user-defined category.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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